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J. Peter Bragg

ORIGINAL

# FEDERAL COMMUNICATIONS COMMISSION

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In Re Applications of: ) MM DOCKET No.: 98-66  
HICKS BROADCASTING OF INDIANA, LLC )  
Order to Show Cause Why the )  
License for FM Radio Station )  
WRBR(FM), South Bend, Indiana, )  
Should Not Be Revoked; )  
AND )  
PATHFINDER COMMUNICATIONS CORP. )  
Order to Show Cause Why the )  
License for FM Radio Station )  
WBYT(FM), Elkhart, Indiana )  
Should Not Be Revoked; )

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## HERITAGE REPORTING CORPORATION

*Official Reporters*  
1220 L Street, NW, Suite 600  
Washington, D.C.  
(202) 628-4888

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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Courtroom 1, Room 227  
FCC Building  
2000 L Street, N.W.  
Washington, D.C.

Thursday,  
November 5, 1998

The parties met, pursuant to the notice of the  
Judge, at 9:00 a.m.

BEFORE: HON. JOSEPH CHACHKIN  
Administrative Law Judge

Heritage Reporting Corporation  
(202) 628-4888

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I N D E X

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Dave Hicks	1846				

E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Mass Media Bureau:</u>			

15	(Prev.)	1892	
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Pathfinder:

67	(Prev.)	1882	
10, pp. 1 -2	(Prev.)	1882	
44	(Prev.)	1981	
41	(Prev.)	2000	
42	(Prev.)	2000	

Hicks Broadcasting:

2	(Prev.)	1914	
7	(Prev.)	1967	
8	(Prev.)	1985	
14	(Prev.)	1988	
15	1993	1993	

Hearing Began: 9:00 a.m.	Hearing Ended: 1:30 p.m.
Recess Began: None.	Recess Ended:

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P R O C E E D I N G S

JUDGE CHACHKIN: On the record.

Who are the witnesses going to be today? Who is the next witness going to be?

MR. JOHNSON: I think, Mr. Hicks, Your Honor, is the next witness.

JUDGE CHACHKIN: My situation is that I propose run until 1:30. I have a medical appointment at 2:00, and we can either recess for the day at that point, or we could recess for an hour or so, and depending on what my doctors says. Whether we do another hour or so, I'll leave it up the parties. My doctor is around the corner so it's not very far. That's not a problem.

MR. JOHNSON: Your Honor, just one person's opinion, Judge, I don't necessarily see the reason to bring you back for an hour or so.

JUDGE CHACHKIN: So we will recess at 1:30.

All right, let's have the next witness.

MR. HALL: Your Honor, we're going to call -- Hicks Broadcasting is going to call David Hicks.

Before we do that, we have a favor to request of you if it's acceptable. Mr. Hicks stamina is still not what it used to be due to his treatments he was undergoing. If it would be possible to take a little more frequent breaks than we have so far.

1 JUDGE CHACHKIN: Any time you need a break just  
2 let me know, and we'll have a break.

3 MR. HALL: Thank you.

4 We call Mr. Hicks.

5 JUDGE CHACHKIN: Raise your right hand, please.  
6 Whereupon,

7 DAVID HICKS  
8 having been first duly sworn, was called as a witness herein  
9 and was examined and testified as follows:

10 JUDGE CHACHKIN: Please have a seat.

11 We'll try to take at least five minutes an hour.

12 MR. HALL: That would be great. Thank you, Your  
13 Honor.

14 JUDGE CHACHKIN: Remind me to take a break.

15 MR. HALL: Good morning, Mr. Hicks.

16 THE WITNESS: Good morning.

17 JUDGE CHACHKIN: Before we do that, it was also  
18 mentioned there is going to be a need for a speaker phone,  
19 the speaker phone testimony of some of the -- is that today?

20 MR. WERNER: I don't believe there will be a need  
21 for it today, Your Honor.

22 JUDGE CHACHKIN: Oh, not today.

23 MR. WERNER: But, yes, there will be a need for  
24 it.

25 JUDGE CHACHKIN: Do you have any idea when?

1           MR. WERNER: Well, that would depend really on how  
2 today's schedule goes. We've expected to need it tomorrow.  
3 Depending on how far we get with Mr. Hicks' examination  
4 today, we may or may not require it tomorrow.

5           JUDGE CHACHKIN: Well, let me give you the number.  
6 We have to make arrangements for that. It can't be done  
7 just like that. We have special equipment that our  
8 administrative assistant has, and the person will be on the  
9 speaker phone or somebody on his behalf. The number to call  
10 is (202) 418-0166.

11           MR. WERNER: (202) 418-0166?

12           JUDGE CHACHKIN: Yes, that's the speaker phone  
13 number.

14           MR. JOHNSON: I think it was 418.

15           JUDGE CHACHKIN: No. (202) is the area code. 418-  
16 0166.

17           MR. JOHNSON: Thank you, Your Honor.

18           JUDGE CHACHKIN: But I have to know in advance so  
19 I can get the equipment.

20           MR. HALL: So that's the number that the witness  
21 who is going to get on the phone will call into, the number  
22 you gave?

23           JUDGE CHACHKIN: That's right. That will connect  
24 into the speaker phone.

25           MR. HALL: The plan was, hoping that we would



1 finish Mr. Hicks today and do -- our character witnesses  
2 would be on the phone tomorrow. It doesn't look like, with  
3 the break now, that we will be finished with Mr. Hicks, so  
4 it may not be until Monday that we need that, but we'll  
5 cross that bridge when we come to it.

6 JUDGE CHACHKIN: All right. Let's begin.

7 MR. HALL: Good morning, Mr. Hicks.

8 THE WITNESS: Good morning.

9 DIRECT EXAMINATION

10 BY MR. HALL:

11 Q You are the major reason why we are here. For the  
12 record, can you state your name and home address?

13 A My name is David Hicks, and my residence is in  
14 Portage, Michigan, 7463 Cottage Oak Drive.

15 MR. SHOOK: Your Honor, if I may, I may have  
16 completely missed this, but did you swear in the witness?

17 JUDGE CHACHKIN: Yes, I swore in the witness.

18 MR. SHOOK: Okay, sorry. I was doing something  
19 else.

20 JUDGE CHACHKIN: You missed it.

21 MR. SHOOK: Bad day already.

22 (Laughter.)

23 MR. SHOOK: Mr. Hicks, this bodes well for you, I  
24 guess.

25 (Laughter.)

1 MR. HALL: In fact, you've already cross-examined  
2 him.

3 (Laughter.)

4 MR. HALL: You're free to go. Next witness.

5 (Laughter.)

6 THE WITNESS: They had a guy jump off the bridge  
7 yesterday.

8 (Laughter.)

9 JUDGE CHACHKIN: All right, let's get back to it.

10 BY MR. HALL:

11 Q How long have you lived in Portage, Michigan?

12 A About seven years.

13 Q Where did you live before that?

14 A In Kalamazoo.

15 Q How long have you lived in Michigan?

16 A All my life.

17 Q Are you married, sir?

18 A Yes, I am.

19 Q For how long?

20 A Almost 40 years.

21 Q Do you have any children?

22 A I have three children.

23 Q What are their names?

24 A Jane, Janelle, and Jeff.

25 Q What's your date of birth, Mr. Hicks?

1           A     10-4-39.

2           Q     What do you do for a living?

3           A     I'm in the radio business; owner of Hicks  
4 Broadcasting of Indiana, WRBR.

5           Q     How long have you been in the radio business?

6           A     All of my working life.

7           Q     What was the first radio station you ever worked  
8 at?

9           A     I guess the first radio station was back in my  
10 high school days in Elmoe, Michigan, when I was paid for  
11 doing a Saturday disk jockey show.

12          Q     After you finished your stint at the station you  
13 worked at in high school, what was your next job in radio?

14          A     Then I went to pharmacy school in northern  
15 Michigan and worked at the local radio station in Big  
16 Rapids, Michigan.

17          Q     What was that station?

18          A     WBRN.

19          Q     Did you graduate from pharmacy school?

20          A     No, I did not.

21          Q     Did you pursue your career in radio after ending  
22 your college career?

23          A     I did. I went from school to my first radio full-  
24 time job in a town in Michigan, Charlotte, Michigan; worked  
25 there as a disk jockey and combination sales representative.

1 Q What were the call letters of that station?

2 A WCER.

3 Q What were your duties as a -- is that sales  
4 representative? What did that entail?

5 A That was selling local advertising to retailers in  
6 the Charlotte area.

7 Q How long did you stay at WCER?

8 A I was probably at that station approximately nine  
9 years.

10 Q Were you an on-air personality and sales  
11 representative at all times during that period?

12 A No. In the latter part of that time, I was more  
13 into the sales, sales end. I kind of took the position of  
14 sales manager at that station. It was a very small radio  
15 station, but we had a little sales staff, so I was the sales  
16 manager.

17 Q After you left WCER, where did you work next?

18 A I went to Lansing, WILS in Lansing, and was a --  
19 started there as a local sales representative, and then  
20 later on was named general sales manager for the station.

21 Q Why did you make the change from WCER to WILS?

22 A Well, it's kind of a step up in this business. We  
23 go from a small market to a mid-sized market, and it's the  
24 capitol of Michigan, and that was, I thought, a pretty good  
25 step.

1 Q How long did you spend at WILS?

2 A Probably eight years, approximately.

3 Q You started at a sales representative; is that  
4 correct?

5 A That's correct.

6 Q At some point did that change?

7 A Yes, I was the general sales manager at that  
8 station.

9 Q What were your duties as general sales manager?

10 A We had a much larger sales staff at that point,  
11 and I was overseeing the operations of the local sales  
12 representatives, the hiring and training, and also worked in  
13 the national sales arm for that radio station.

14 Q Would you explain the difference between local  
15 sales and national sales in the radio business?

16 A Right. Local sales are obtained locally from  
17 local retailers, businesses within that community. Then  
18 national business is more from agencies that are located  
19 outside of the market, like New York, Chicago, San  
20 Francisco, Los Angeles, the bigger markets that represent  
21 the major advertisers. And we have --

22 Q Did you -- I'm sorry. Go ahead.

23 A We have sales, in addition to local sales reps,  
24 most stations have national sales reps, and there is someone  
25 from the local station that coordinates the efforts of that

1 station with the national reps.

2 Q Now, you mentioned that your staff was a little  
3 larger, WILS. Do you recall how large a staff you managed  
4 when you were general sales manager?

5 A I think I had about a seven, seven-member sales  
6 staff.

7 Q What did you do after you left WILS?

8 A Well, I had an opportunity to be a general  
9 manager, which I had never been, in Battlecreek, Michigan,  
10 and I did -- I did take that job in the early eighties, and  
11 left WILS and went to Battlecreek for the general manager of  
12 two radio stations, WKFR and WKNR at that time.

13 Q How did you obtain that position up in  
14 Battlecreek?

15 A I received a call from a good friend in the  
16 business that knew of an opening over there, and said,  
17 "Dave, you've been doing this sale stuff for a long time.  
18 Have you ever thought about being a general manager? And  
19 there's a great opportunity in Battlecreek. Would you be  
20 interested?"

21 Q Who was that friend?

22 A Ed Christian.

23 Q What were the formats of the two stations when you  
24 arrived as general manager?

25 A Those two stations were top 40 station and a

1 beautiful music station. Top 40 was the AM at that time,  
2 and the beautiful music was the FM.

3 Q What was your responsibilities as general manager  
4 for these stations?

5 A Well, it encompassed overseeing the entire, the  
6 entire operation. So we had a large sales force for that  
7 size community. We had announcers and we had an engineer.  
8 We also had a unique situation at that station that I had  
9 never been involved in, but they did -- the were unionized,  
10 and so that was a brand new experience for me.

11 Q What did you have in programming issues as general  
12 manager of the Battlecreek stations?

13 A I did change -- I was successful in changing the  
14 FM format to more of a contemporary style format during my  
15 tenure there, and that was pretty much my suggestions,  
16 coordinating with the owner of the station.

17 Q Who was the owner?

18 A Joseph Waldsmith was his name, and he was an  
19 absentee owner who lived in Maryland.

20 Q How frequently did Mr. Waldsmith visit the  
21 station?

22 A Four times a year; possibly ever quarter.

23 Q How long did you remain general manager at the  
24 Battlecreek stations?

25 A Well, I was general manager for maybe four to five

1     years; four years possibly. I can't recall how long that  
2     was.

3             Q     And then what happened?

4             A     Mr. Waldsmith on one of his visits to the station  
5     informed me that he thought the time was right in his life  
6     to sell the radio station, and in the conversation he asked  
7     if I had any interest in that possible purchase of the  
8     station. That kind of came out of the blue, but I indicated  
9     that that might be possible.

10            Q     What did you do to make that occur? I assume at  
11     some point you actually bought the station?

12            A     That's correct.

13            Q     How did that process occur?

14            A     Well, my friend, Ed Christian, who was  
15     instrumental in getting me the job to begin with, he was the  
16     first person I called. And I said I had this opportunity,  
17     and he kind of guided me along on how I might be able to do  
18     this. Suggested a couple of banks at that time that were  
19     doing radio deals, a venture capital firm that was very  
20     involved in radio at that time. Remember, this is in the  
21     eighties, around '85 area.

22                   He put me in touch with a bank in Boston, Bay  
23     Bank, and I called and introduced myself and made an  
24     appointment and took a trip to Boston, and presented my  
25     case, and I think it was a couple of trips later that we had



1     pretty close to a deal with Mr. Waldsmith.

2           Q     After you purchased the station from Waldsmith,  
3     did you remain general manager?

4           A     I remained general manager and I also held the  
5     title as sales manager. I was kind of doing a dual role as  
6     I was before I had ownership of the station.

7           Q     Did you form a company to be the licensee for the  
8     two Battlecreek stations you acquired from Mr. Waldsmith?

9           A     Yes, I did.

10          Q     What was the name of that company?

11          A     Hicks Broadcasting Corporation.

12          Q     Now, after you acquired the station from Mr.  
13     Waldsmith, did you -- did Hicks Broadcasting Corporation  
14     acquire any additional radio stations?

15          A     About a year later I had an opportunity to  
16     purchase an AM radio station in Kalamazoo, which is an  
17     adjacent town to Battlecreek. We had a problem at that time  
18     because the Commission rules forbid the ownership of,  
19     believe it or not, two AM radio stations in adjacent  
20     markets. So I had to divest or sell off the AM station in  
21     Battlecreek in order to acquire this station in Kalamazoo  
22     which I did.

23          Q     Now, at some point down the road, there's been  
24     testimony, that Hicks Broadcasting merged with Airborne  
25     Group.

1           Between the time that you bought the station in  
2   Kalamazoo and divested the AM station in Battlecreek and the  
3   merger, did you buy any other stations, involved in any  
4   other transactions that came to fruition?

5           A     No.

6           Q     Can you briefly describe the merger with the Hicks  
7   Broadcasting and the Airborne Group? What was the Airborne  
8   Group?

9           A     The Airborne Group was a group that owned a radio  
10   station in Portage, Michigan, a stand-alone FM radio  
11   station. It had been on the air maybe four years, five  
12   years. It was a fairly new facility.

13          Q     Up until the time of the merger, did you remain  
14   the general manager and general sales manager of the  
15   stations that Hicks Broadcasting owned?

16          A     No. There was a time that I relinquished my  
17   duties as sales manager. I stayed as president and general  
18   manager of the company.

19          Q     Were you involved in programming issues throughout  
20   this time?

21          A     Continually, yes.

22          Q     What sorts of programming decisions were you  
23   involved in?

24          A     Well, obviously, format decisions, always fine  
25   tuning the formats. We changed one of -- I guess we changed

1 several times the AM format and ended up with at that time  
2 the news talk programming was becoming very popular. We  
3 were one of the very first radio stations with the Rush  
4 Limbaugh Program. I think it was one of his very first  
5 broadcast was on my station, so that goes back a few years.

6 Q After the merger between Hicks Broadcasting and  
7 Airborne Group, what was the corporate entity that was  
8 formed after that merger?

9 A After the? Excuse me.

10 Q Hicks Broadcasting and Airborne Group merged.

11 A Yes.

12 Q Was there a corporation formed to hold the  
13 licenses after the merger?

14 A That's right. The Airborne Group merged with  
15 Hicks Broadcasting, and the name was changed to Crystal  
16 Radio Group.

17 Q What interest, in terms of ownership interest, did  
18 you hold in Crystal Radio Group?

19 A Approximately 35 percent.

20 Q Were you also employed by the Crystal Radio Group?

21 A That's correct.

22 Q What position or positions did you hold?

23 A Well, I held the title of chairman of the company  
24 and my main duties were focused on the sales end of the  
25 company.

1 Q Did there come a time when those sales duties were  
2 taken away from you?

3 A Yes.

4 Q Do you recall approximately when that was?

5 A That was in July of '93, I believe.

6 Q When did the merger that formed Crystal Radio  
7 Group close? Do you recall?

8 A When did it?

9 Q When did the discussions start to merge the group?  
10 Do you recall that?

11 A That was -- it was back in the early nineties;  
12 probably around December. I can't recall the year right  
13 offhand.

14 JUDGE CHACHKIN: If you know the date of it the  
15 closing, suggest it.

16 MR. HALL: Sure.

17 THE WITNESS: Thank you.

18 BY MR. HALL:

19 Q I believe the record is clear. The Crystal Radio  
20 Group merger closed in August '93.

21 A '93.

22 Q So with that in mind, was your statement earlier  
23 that you ceased having employment responsibilities --

24 A No, it would --

25 A in '94.

1           A     -- be in '94, yes.

2           Q     At some point after the Crystal Radio merger was  
3 consummated, you acquired WRBR; is that correct?

4           A     That's correct.

5           Q     And since you acquired WRBR, have you been  
6 involved in doing any work for any other radio stations?

7           A     Yes.

8           Q     And what radio stations are those?

9           A     I have been doing some special project work for  
10 some of the Federated radio stations on a national sales  
11 effort, and then for a short period of time I was an interim  
12 general manager for a Federated station in Grand Rapids,  
13 actually three, three stations.

14          Q     Are you currently employed by any other station in  
15 Grand Rapids?

16          A     No, I am not.

17          Q     In any of the radio transactions you've been  
18 involved in, Mr. Hicks, has there ever been any issues  
19 raised concerning your character or fitness to hold a  
20 license?

21          A     Not that I'm aware of, no.

22          Q     Have you ever had any problems with FCC violations  
23 being assessed against you in any of the companies you've  
24 been involved with?

25          A     No, unless -- if it counts maybe a field rep one

1 time found a meter that wasn't functioning quite right, and  
2 cited us for that, but I think that was the only violation I  
3 recall.

4 Q Now, currently, are you involved in any stations  
5 other than WRBR?

6 A No.

7 Q Tell us a little bit about the Radio Station WRBR,  
8 where it's located, its format and size, and those sorts of  
9 things.

10 A WRBR is located in South Bend, licensed in South  
11 Bend, Indiana, located in Mishawaka, which is kind of one  
12 and the same. It's a Class A radio station.

13 Q What does that mean, Class A?

14 A It means it's very low powered, 3,000 watts. We  
15 have deflected radio power a little more than that, but it's  
16 Class A. It is a format called active rock format, and it's  
17 24 hours a day.

18 Q Do you know what the corporate structure of Hicks  
19 Broadcasting of Indiana is? What sort of company it is?

20 A Right. It's a limited liability company. LLC we  
21 call that.

22 Q What's your interest in Hicks Broadcasting of  
23 Indiana?

24 A A majority owner at 51 percent member.

25 Q The other members are the children of John Dille;

1 is that correct?

2 A The other members are divided. The minority  
3 shares are divided amongst the Dille children, that's  
4 correct.

5 Q Now, throughout your history in radio, Mr. Hicks,  
6 have you ever served or been involved in any broadcasting  
7 associations?

8 A Yes.

9 Q Can you describe that for us?

10 A Well, in Michigan, when I was -- in the early  
11 days, I was very active in the Association of Broadcasters.  
12 I served on the board of director of Michigan Broadcasters  
13 for, I think, a couple of terms.

14 Q Is that an elected position?

15 A That's an elected position. In 1989, I ran for a  
16 seat from the State of Michigan to represent the State of  
17 Michigan in the National Association of Broadcaster and was  
18 elected; served first two years as a board members, and was  
19 up for reelection, won the second term, and was elected  
20 among the board as vice chairman of the radio board, and  
21 then the following year elected chairman of the radio board  
22 of the National Association of Broadcasters.

23 Q What were your duties as chairman of the radio  
24 board?

25 A Actually, running the board meetings and tending

1 to the issues that then involved radio on a national level.

2 In 19 --

3 Q What issues were those?

4 A Well, at that time digital radio was being talked  
5 about. That was a big issue. We had a lot of hearings  
6 before Congress, and I participated in a couple of those.  
7 Just various things that come up, you know, regarding  
8 national radio issues.

9 Late in that term, we also organized a -- this was  
10 the very first one, international radio show in Montrose,  
11 Switzerland, and I was on the executive committee of that  
12 radio group, and that was in 1993, I believe, or '92.

13 Q Did you serve on any committee?

14 A Yes. I am the vice chairman currently of the  
15 Radio Music License Committee.

16 Q What does that committee do?

17 A That committee is a small-member committee that is  
18 the negotiating arm with ASCAP and BMI for the royalty fees  
19 paid by the radio industry to the music societies, and we  
20 are, as I said, the negotiating arm for those things.

21 Q How did you come to serve on that committee?

22 A I was appointed to that committee early on in my  
23 tenure on the NAB radio board, and have served every since.

24 Q Are you still active in the NAB and MAB?

25 A We are members of the NAB and I enjoy attending



1     their conventions, and still very active in the Music  
2     License Committee, yes.

3           Q     I'd like to talk to you now about the transaction  
4     by which you ended up purchasing WRBR for Hicks Broadcasting  
5     of Indiana.

6                     From what company did Hicks Broadcasting acquire  
7     WRBR?

8           A     I believe the proper corporate name was Booth  
9     American.

10          Q     Do you have any idea how long Booth owned WRBR?

11          A     I really don't know. He had had that property for  
12     quite some time.

13          Q     Now, how did you first learn that Mr. Booth was  
14     interested in selling WRBR?

15          A     I think, in early '93, maybe the spring of '93, I  
16     received a telephone call from a friend in the business  
17     named Rob Ritter, who was employed by John Booth, and I had  
18     known Rob. He was kind of acting in a dual role. He worked  
19     for Mr. Booth and he also was a broker of radio stations,  
20     and he called to inform me that Mr. Booth was about ready to  
21     sell a radio station close to my market in South Bend, and  
22     wanted to know if I had ever thought about acquiring another  
23     station or had any interest in this. To him, it made sense  
24     because it was very close.

25                     I at that time just inquired generally of what it

1 was, and he said he'd send me some information, and that was  
2 kind of it. I did receive the information on WRBR.

3 Q Had you been keeping your ear out for the possible  
4 purchase of other radio stations at the time?

5 A I don't think actively. You know, if something  
6 came up. The rules were beginning to change at that time,  
7 and I thought if something was available within a close  
8 area, that it might make sense. There were some  
9 opportunities maybe back in Battlecreek that did spur my  
10 interest, but nothing ever materialized.

11 Q Now, I believe you testified that Mr. Ritter sent  
12 you some material on WRBR?

13 A That's correct.

14 Q Do you recall, generally speaking, what that  
15 material was?

16 A Well, I don't think it was very much. I think it  
17 consisted of a coverage map and I'm not really sure that it  
18 had a great deal of financial information. If it did, it  
19 was pretty sketchy. I recall that it did have a price of  
20 cash that I thought was close to the million dollar mark.  
21 Now, I may not be exactly right on that, but it was close to  
22 that. And from what I had seen to what the WRBR was doing,  
23 it looked to me like I probably wasn't interested at that  
24 place.

25 Q You mentioned something about a cash price?

1           A     I recall that it was a cash price, yes.

2           Q     It wasn't being offered to you as seller financed  
3 at that time?

4           A     No. No.

5           Q     Did you ever respond to Mr. Ritter after he sent  
6 you those materials?

7           A     He called me a short time thereafter and asked me  
8 if I had received the information, and I said I had. "Well,  
9 what do you think?" And I felt, well, I didn't think it  
10 would really fit at this particular time, so that was kind o  
11 the end of the conversation. I think we talked about, you  
12 know, other things, not specifically that. It was a very  
13 informal conversation.

14           JUDGE CHACKIN: Have we established a time frame  
15 that this conversation took place?

16           MR. HALL: He said the spring of '93.

17           JUDGE CHACKIN: Oh, spring of '93.

18           BY MR. HALL:

19           Q     At this point that you're having these  
20 conversation with Mr. Ritter, about how long of a time  
21 period did these calls take place?

22           A     Well, they were within two week maybe.

23           Q     It wasn't a long run of time?

24           A     No.

25           Q     At this point did you discuss WRBR with John

1 Dille?

2 A No.

3 Q When did you first -- when did you next have any  
4 contact after you talked to Mr. Ritter and told him you  
5 weren't interested, when did you next have any contact with  
6 anyone regarding the possible purchase of WRBR?

7 A I think at -- I think at that time Mr. Sackley was  
8 setting up his office in our building, and we were talking  
9 again one afternoon and just in generalities about our  
10 merger and what we were doing, and where this might go. And  
11 I said, "You know, kind of interesting that I had a  
12 telephone call from a friend that was offering a station in  
13 South Bend." I said, "You know, it's pretty close." I  
14 said, "I didn't particularly like the terms and really don't  
15 know a lot about it."

16 And he expressed enough information that I reached  
17 in my file and handed him what those papers were. And he  
18 took those papers, I think. I think that that happened at  
19 that time.

20 Q And Mr. Sackley is one of the principals of the  
21 Airborne Group that --

22 A Yes.

23 Q -- was Hicks Broadcasting, the previous company?

24 A That's correct.

25 Q Did he express -- did he ultimately express